

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

VS.

ADRIAN GIL II

Defendant.

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Cause No. EP-22-CR-00773-DB

**MOVANT DENISE E. BUTTERWORTH'S MOTION TO WITHDRAW AS
ATTORNEY FOR DEFENDANT ADRIAN GIL II AND FOR
APPOINTMENT OF NEW COUNSEL FOR APPEAL PURPOSES**

TO THE HONORABLE DAVID BRIONES, UNITED STATES DISTRICT JUDGE FOR THE
WESTERN DISTRICT OF TEXAS:

COMES NOW DENISE E. BUTTERWORTH, hereinafter referred to a Movant and
respectfully files the above captioned Motion in the above entitled and numbered cause and as
grounds would respectfully show as follows:

I.

Movant was Court appointed to represent the Defendant, who was charged with Drug
User in Possession of Firearm a violation of 18 U.S.C § 922(g)(3), 18 U.S.C § 924(a)(2). On July
19, 2023, this Honorable Court sentenced Defendant to the custody of the United States Bureau
of Prisons to serve a term of imprisonment of thirty five (35) months and a term of supervised
released of three (3) years.

II.

The Movant is not on the CJA Panel's "list" of lawyers who do appellate representation (emphasis added). Undersigned counsel believes it would be beneficial to appoint a lawyer who is on the CJA Panel's list of appellate lawyers so that an experienced attorney can advise Defendant accordingly and then take what legal action in the 5th Circuit which the newly appointed lawyer deems appropriate.

Respectfully submitted,

/s/ Denise Butterworth
DENISE E. BUTTERWORTH
Attorney for Defendant
501 N. Kansas, Suite 200
El Paso, TX 79901
(915)532-8250
dbutterworthattorney@gmail.com

AFFIDAVIT

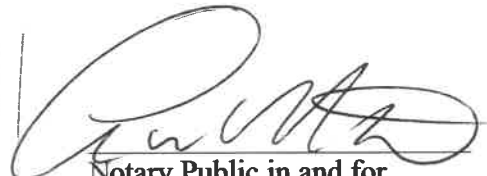
BEFORE ME, the undersigned authority, on this day personally appeared DENISE E. BUTTERWORTH, who after being duly sworn stated:

“I am defense counsel in the above-entitled and numbered cause. I have read the foregoing Motion and swear that all of the allegations of fact contained therein are true and correct.”

/s/ Denise Butterworth
DENISE E. BUTTERWORTH

SUBSBRIED AND SWORN TO BEFORE ME on the ____ day of July 2023, to certify which witness my and and seal.




Notary Public in and for
The State of Texas

CERTIFICATE OF SERVICE

I, DENISE E. BUTTERWORTH, the undersigned attorney hereby certifies that a true and correct copy of the forgoing Motion was electronically filed through the CM/ECF filing system thereby electronically delivering service hereof to the United States Attorney's Office, 700 East San Antonio Street, Room 200, El Paso, Texas 79901 on this the 21st day of July, 2023.

/s/ Denise Butterworth
DENISE E. BUTTERWORTH

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Cause No. EP-22-CR-00773-DB

**ORDER GRANTING MOTION TO WITHDRAW AND FOR
APPOINTMENT OF NEW COUNSEL FOR APPEAL PURPOSES**

The Court considered attorney Denise E. Butterworth's Motion to Withdraw as counsel of record for the Defendant in the above-styled case. The Court is of the opinion that said motion should be, and is hereby GRANTED.

IT IS HEREBY ORDERED that Denise E. Butterworth, is allowed to withdraw as attorney of record for the Defendant in the above-styled cause.

The Court now refers this case to United States Magistrate Judge for appointment of counsel for appeal purposes.

SIGNED and ENTERED this _____ day of July, 2023.

DAVID BRIONES
United States Senior District Judge